

1 PENELOPE A. PREOVOLOS (CA SBN 87607)  
2 (PPrevolos@mofo.com)  
3 ANDREW D. MUHLBACH (CA SBN 175694)  
(AMuhlbach@mofo.com)  
3 ALEXEI KLESTOFF (CA SBN 224016)  
(AKlestoff@mofo.com)

MORRISON & FOERSTER LLP  
5 425 Market Street  
6 San Francisco, California 94105-2482  
Telephone: 415.268.7000  
Facsimile: 415.268.7522

8 Attorneys for Defendant  
APPLE INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

13 GIORGIO GOMELSKY,  
14 on behalf of himself and  
all others similarly situated.

**Plaintiff,**

V.

APPLE INC.,

**Defendant.**

Case No. C-08-04969 PVT

**STIPULATION EXTENDING  
DEFENDANT'S TIME TO  
RESPOND TO COMPLAINT**

IT IS HEREBY STIPULATED AND AGREED, that Defendant Apple Inc.'s time to move, answer or otherwise respond to the complaint filed in the above-captioned matter is hereby extended through and including December 22, 2008.

24

25 //

26 //

27 //

28 //

STIPULATION EXTENDING TIME TO RESPOND TO COMPLAINT  
CASE NO. C-08-04969 PVT  
sf- 2601852

1 Dated: November 6, 2008

MORRISON & FOERSTER LLP

3  
4 By: /s/ Penelope a. Preovolos  
Penelope a. Preovolos

5 Attorneys for Defendant  
6 APPLE INC.

7 Dated: November 6, 2008

CALDWELL, LESLIE & PROCTOR, PC

9 By: /s/ Robyn C. Crowther  
10 Robyn C. Crowther

11 Attorneys for Plaintiff  
12 GIORGIO GOMESKY